

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

MARK BARRY, M.D.,

Plaintiff/Judgment Creditor,

V.

WELLS FARGO BANK, N.A.,

Garnishee,

V.

MEDTRONIC, INC.,

Defendant/Judgment Debtor.

CIVIL ACTION NO.

WRIT OF GARNISHMENT

TO:

WELLS FARGO BANK, N.A.
c/o Corporation Service Company d/b/a CSC – Lawyers
Incorporating Service Company
211 E. 7th St
Suite 620
Austin, TX 78701-3218

GARNISHEE, GREETINGS:

Whereas, in the United States District Court for the Eastern District of Texas, Beaumont Division, in the case styled, *Mark Barry, M.D. v. Medtronic, Inc.*, Civil Action No. 1:14-cv-104, wherein Plaintiff MARK BARRY, M.D. (“PLAINTIFF”)

recovered a judgment on May 9, 2017 against Defendant MEDTRONIC, INC. as follows:

- a. \$15,095,970.00 for infringement of the '358 Patent within the United States; plus
- b. \$3,019,194.00, which represents a twenty percent (20%) enhancement on the damages awarded for infringement of the '358 Patent within the United States; plus
- c. \$2,625,210.00 for infringement of the '121 Patent within the United States; plus
- d. \$525,042.00, which represents a twenty percent (20%) enhancement on the damages awarded for infringement of the '121 Patent within the United States; plus
- e. Prejudgment interest in the amount of \$2,357,849.00; plus
- f. Costs of court; and
- g. Pursuant to 28 U.S.C. § 1961, post-judgment interest at the rate of 1.07% per annum on damages awarded.

Whereas, Plaintiff in the above-captioned matter filed with the clerk a written application for a writ of garnishment against WELLS FARGO BANK, N.A. ("WELLS FARGO"), as garnishee, Civil Action No. _____ on the docket of said court.

NOW, THEREFORE, WELLS FARGO is hereby commanded to be and appear before said court by filing a written answer under oath within 21 days after the date of service of this writ upon WELLS FARGO. In said answer, WELLS FARGO is commanded to answer under oath the following:

1. What, if anything, WELLS FARGO is indebted to the said MEDTRONIC, INC., when this writ was served upon WELLS FARGO;
2. What effects, if any, of MEDTRONIC, INC. did WELLS FARGO have in its possession when this writ was served; and

3. What other persons, if any, within WELLS FARGO's knowledge, are indebted to MEDTRONIC, INC. or have effects belonging to MEDTRONIC, INC. in their possession.

The officer executing this writ shall promptly serve the same according to the requirements of law, and the mandates here of, and may do return as the law directs.

WELLS FARGO is further commanded NOT to pay to MEDTRONIC, INC. any debt or to deliver to it any effects, pending further order of this Court. Herein fail not, but make due answer as the law directs.

TO: MEDTRONIC, INC., DEFENDANT

You are hereby notified that certain properties alleged to be owned by you have been garnished. If you claim any rights in such property you are hereby advised:

YOU HAVE A RIGHT TO REGAIN POSSESSION OF THE PROPERTY BY FILING A REPLEVY BOND. YOU HAVE A RIGHT TO SEEK TO REGAIN POSSESSION OF THE PROPERTY BY FILING WITH THE COURT A MOTION TO DISSOLVE THIS WRIT.

Issued and given under my hand and the seal of said UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS, BEAUMONT DIVISION, on this the _____ day of _____, 2020.

ATTEST:

David A. O'Toole, Clerk of Court
United States District Court for the
Eastern District of Texas

By: _____
Signature of Deputy Clerk

